

1

2

UNITED STATES DISTRICT COURT

3

NORTHERN DISTRICT OF CALIFORNIA

4

5

CYNTHIA GUTIERREZ, JOSE HUERTA, )  
SMH, RH and AH, )

6

Plaintiffs, )

7

vs. )

No. 16-cv-02645-SI

8

SANTA ROSA MEMORIAL HOSPITAL, )  
ST. JOSEPH HEALTH and DOES 1-50, )  
Inclusive, )

10

Defendants. )

11

12

13

14

DEPOSITION OF SHARI ANN TITUS, a witness herein,

15

noticed by LAW OFFICE OF DOUGLAS C. FLADSETH, at 400

16

North Tustin Avenue, Santa Ana, California, at 1:31

17

p.m., on Tuesday, May 15, 2018, before Kathryn D.

18

Jolley, CSR 11333.

19

20

21

22

23

24

25

Job Number: 462595

SHARI ANN TITUS - 05/15/2018

Page 2

1 APPEARANCES OF COUNSEL:

2

3 For Plaintiffs:

4 LAW OFFICE OF DOUGLAS C. FLADSETH

5 BY DOUGLAS C. FLADSETH (Present via video teleconference)

6 1160 North Dutton Avenue, Suite 180

7 Santa Rosa, California 95401

8 (707) 545-2600

9 fladseth@aol.com

10

11 For Defendants SANTA ROSA MEMORIAL HOSPITAL and

12 ST. JOSEPH HEALTH:

13 LA FOLLETTE, JOHNSON, DE HAAS, FESLER & AMES

14 BY BRETT SCHOEL

15 655 University Avenue, Suite 119

16 Sacramento, California 95825

17 (916) 563-3100

18 bschoel@ljdfa.com

19

20

21

22

23

24

25

SHARI ANN TITUS - 05/15/2018

Page 54

1 says, EDM MNR.

2 And what I am trying to find out is, what exactly  
3 did the ED summary report say on February 25th, 2015.  
4 And when I try to use that record, actually, some of the  
5 other parties in this case have objected because I'm not  
6 showing them what it said on 2-25-15.

7 So my question to you is, how can we show -- how can  
8 we find out what the ED summary report said on February  
9 25th, 2015?

10 MR. SCHOEL: Objection; the question assumes there  
11 was -- Well, never mind.

12 THE WITNESS: I don't know that. I don't know that.  
13 We can -- I think it's -- You know, it's a matter  
14 of -- you're asking to backdate, I believe. Is that what  
15 I'm hearing.

16 MR. FLADSETH:

17 Q. I'm trying to find out, first of all, when is  
18 the ED summary report first generated for 2-25-15? I'm  
19 presuming it's sometime before March 27th.

20 MR. SCHOEL: Or it is March 27th, 30 days after,  
21 which we've heard testimony about.

22 THE WITNESS: So a little clarification. Can I ask  
23 a clarification on the ED summary?

24 MR. FLADSETH:

25 Q. Sure.

SHARI ANN TITUS - 05/15/2018

Page 55

1           A. Because I think that -- I guess where I'm going,  
2   I believe there's an ED summary that is an automatic, and  
3   must be what you're referring to.

4           Because the user mnemonic that you read off is not  
5   one that is an actual physical user. A user can demand  
6   print certain things. But again, when you demand print,  
7   it's printing as of this moment in time. If something is  
8   system-generated, it's given a parameter of, you know,  
9   when to generate it, and it generates at that time.

10          Q. So do you know when, typically, the ED summary  
11   report would be generated?

12          A. I think -- I think this is the one that we  
13   involved the vendor on; right? I think we went to the  
14   vendor because we were unclear as to what was the  
15   parameter and what -- you know, was it a specific window  
16   of time when that prints.

17          And I believe they shared something in a 30-day  
18   window, but it's not exact date to date.

19          Q. Okay. Well, do you know when the 2-25-15 ED  
20   summary report was first generated?

21          MR. SCHOEL: Objection. She just answered that.

22          THE WITNESS: We went to the vendor to try to get an  
23   explanation on when that would generate. We knew that  
24   there was a window of time to try to figure it out.

25          So there is a window of time, and, honestly, I am

SHARI ANN TITUS - 05/15/2018

Page 56

1 trying to recall exactly what they said. But I believe  
2 that a window of time after the last activity. Yeah.

3 MR. FLADSETH:

4 **Q. When did you go ask that to the vendor?**

5 A. Within the last six months.

6 **Q. Who did you contact?**

7 A. We have a core -- At the vendor, we have a core  
8 contact, Jennifer Long-Roublet is our primary contact  
9 whenever we escalate something. And then --

10 **Q. Jennifer --**

11 A. Jennifer.

12 **Q. -- who?**

13 A. Jennifer Long-Roublet. Her last name is  
14 Long-Roublet, hyphenated. First name Jennifer.

15 **Q. How do you spell the Roublet?**

16 A. I knew you were going to ask me that. It's like  
17 R-O-U- -- I don't know -- B-O-L-O-U -- Roublet. I don't  
18 spell it. R-O-U-B-L-E-T maybe.

19 **Q. Where is Jennifer located?**

20 A. Massachusetts.

21 Her role is -- Go ahead. You're asking --

22 **Q. What's her position?**

23 A. She's our HCIS coordinator.

24 **Q. What's that stand for?**

25 A. It's really the -- you know, healthcare

1 information systems coordinator.

2 They have those positions for their larger clients,  
3 and her role is really to be our point of escalation and  
4 coordinating anything that we need within the vendor  
5 space.

6 **Q. Did she send you any information?**

7 A. I did not ask for information. No, she didn't  
8 send me information.

9 **Q. Well, did she have any communication to you?**

10 A. Jennifer and I talk all the time.

11 **Q. I'm talking about the ED summary report for**  
12 **2-25-15 on Cynthia Gutierrez. Did you have any**  
13 **communication with Jennifer?**

14 A. We had communication to set up a meeting for the  
15 experts at MEDITECH to discuss the topic.

16 **Q. And who is that?**

17 A. I don't recall the names of the experts that  
18 were at the meeting.

19 Brett, you were there; right?

20 MR. SCHOEL: I don't remember, and I don't care. I  
21 don't care about any of this testimony. You've answered  
22 his question.

23 THE WITNESS: She brings in the experts. She  
24 brought in the experts from MEDITECH and so we could have  
25 this dialogue of what could we expect on the ED summary

1 print time.

2 MR. FLADSETH:

3 Q. Okay. And that occurred within the last  
4 six months?

5 A. Yes, that's what I believe.

6 MR. SCHOEL: Probably the last two months.

7 MR. FLADSETH:

8 Q. And how did you communicate? Was it  
9 videoconference?

10 A. No, it was a WebEx, but we had no video. Only  
11 audio.

12 Q. So just audio.

13 Were there any notes or any kind of documentation as  
14 to what was communicated there?

15 A. I don't believe we took notes.

16 Q. Is there any kind of documentation as to what  
17 communication occurred?

18 MR. SCHOEL: Yes. No. I'm so sorry. Go ahead.

19 THE WITNESS: I'm just trying to think back if there  
20 was any kind of documentation on that. I don't believe  
21 there was.

22 MR. FLADSETH:

23 Q. What communication was there from the expert?

24 A. They referenced -- I want to say initially, if I  
25 recall correctly, they needed to check, themselves,

SHARI ANN TITUS - 05/15/2018

Page 59

1 because we were questioning the timing. And I believe  
2 they came back and had something to do with activity  
3 dates and a 30-day window after the activity dates,  
4 something to that fashion.

5 Q. So is it your understanding that for every ER  
6 visit in 2014 and 2015, that the ED summary report would  
7 not be generated until 30 days afterwards?

8 MR. SCHOEL: After the last activity.

9 THE WITNESS: I believe it's after the last  
10 activity.

11 MR. FLADSETH:

12 Q. And what do you mean by "last activity"?

13 A. So, again, this is from the knowledge that --  
14 you know, speaking with the MEDITECH. I think we were  
15 trying to understand the last activity. And it would be,  
16 like, reports -- I think report-generated or created,  
17 something actively updated to the documents or the chart.

18 Q. So how can you tell from the ED summary report  
19 when it was first generated?

20 MR. SCHOEL: She didn't -- My God. Tell him again.

21 THE WITNESS: Well, it would have to be -- if you're  
22 looking at a report, it would have to be the date that's  
23 on the report.

24 MR. FLADSETH:

25 Q. What part of the report would have the date?



SHARI ANN TITUS - 05/15/2018

Page 60

1           A. The reports -- I can speak to -- Typically in  
2    MEDITECH, a generation date is on -- like, in the title  
3    of the report. It's either on the title or the footer of  
4    a report. It's usually not in the body. It's usually,  
5    like --

6           MR. SCHOEL: Like the top left corner of the  
7    document.

8           THE WITNESS: Either the top or the bottom. That's  
9    usually where you see a date or a time or user set  
10   information is typically either the top or the bottom,  
11   depending on the report that you're looking at. But not  
12   within the body.

13          MR. FLADSETH:

14          Q. So if we take 2-25-15, and we look at the  
15   emergency department report for past medical history, it  
16   says coded allergies, no known allergies.

17          And then if you look at the ED summary report for  
18   2-25-15, under allergies it says,  
19   hydromorphone/cardiopulmonary arrest.

20          Can you explain why, for the same date, those are  
21   different?

22          MR. SCHOEL: Can you? If you can't, then don't.  
23   You're not here as a PMK. Tell him what you know.

24          THE WITNESS: Yes, I would have to really say no.

25          MR. FLADSETH:

SHARI ANN TITUS - 05/15/2018

Page 104

1 STATE OF CALIFORNIA ) ss

2

3 I, Kathryn D. Jolley, CSR 11333, do hereby declare:

4

5 That, prior to being examined, the witness named in  
6 the foregoing deposition was by me duly sworn pursuant to  
7 Section 2093(b) and 2094 of the Code of Civil Procedure;

8

9 That said deposition was taken down by me in  
10 shorthand at the time and place therein named and  
11 thereafter reduced to text under my direction.

12

13 I further declare that I have no interest in the  
14 event of the action.

15

16 I declare under penalty of perjury under the laws of  
17 the State of California that the foregoing is true and  
18 correct.

19

20 WITNESS my hand this 21st day of  
21 May, 2018.

22

23

  
Kathryn D. Jolley, CSR 11333

24

25